

### **Amendments to the Claims:**

This listing of Claims will replace all prior versions, and listings, of claims in the application:

### **Listing of Claims:**

1. (Currently Amended) A method of optimizing data throughput in a circuit switched mobile radio connection, said method comprising:
  - determining ~~a peak~~ the highest number of substreams to be used for data in said mobile radio connection;
  - allocating said ~~peak~~ highest number of substreams to be used for data in said mobile radio connection;
  - monitoring a quality of a radio interface;
  - adjusting said mobile radio connection to use fewer substreams of data than said ~~peak-highest~~ highest number of substreams if said quality of said radio interface is below a predefined level; and
  - retaining any allocated substreams that have become unused for a duration of the connection.
2. (Currently Amended) The method according to claim 1, wherein said ~~peak~~ highest number of substreams are allocated on a per radio frequency timeslots basis.
3. (Currently Amended) The method according to claim 1, wherein said ~~peak~~ highest number of substreams are allocated on a per connection basis.
4. (Currently Amended) The method according to claim 1, wherein said ~~peak~~ highest number of substreams is determined based on a number of timeslots allotted to said mobile radio connection.

5. (Currently Amended) The method according to claim 4, wherein said ~~peak~~ highest number of substreams is determined based on a user requested data rate for said mobile radio connection.
6. (Original) The method according to claim 1, wherein adjusting said mobile radio connection includes changing a coding scheme thereof.
7. (Original) The method according to claim 6, wherein said coding scheme is changed via in-band signaling.
8. (Original) The method according to claim 6, wherein said coding scheme is changed via a combination of in-band and out-band signaling.
9. (Original) The method according to claim 7, further comprising sending quality measurements of said radio interface via in-band signaling.
10. (Original) The method according to claim 1, wherein adjusting said mobile radio connection includes changing a modulation scheme thereof.
11. (Original) The method according to claim 1, wherein adjusting said mobile radio connection includes changing an allotted number of radio frequency timeslots thereof.
12. (Currently Amended) A mobile communication system ~~capable of~~ for supporting a circuit switched mobile radio connection, comprising:
  - a base transceiver station;
  - a mobile services switching center; and
  - a base station controller connected to said base transceiver station and said mobile services switching center, said base station controller configured to:

determine ~~a peak~~ the highest number of substreams that may be used for data in said mobile radio connection;

allocate said ~~peak~~ highest number of substreams to be used for data in said mobile radio connection;

monitor a quality of a radio interface;

adjust said mobile radio connection to use fewer substreams of data than said ~~peak~~ highest number of substreams if said quality of said radio interface is below a predefined level; and

retaining any allocated substreams that have become unused for a duration of the connection.

13. (Currently Amended) The system according to claim 12, wherein said ~~peak~~ highest number of substreams are allocated on a per radio frequency timeslots basis.

14. (Currently Amended) The system according to claim 12, wherein said ~~peak~~ highest number of substreams are allocated on a per connection basis.

15. (Currently Amended) The system according to claim 12, wherein said ~~peak~~ highest number of substreams is determined based on a number of timeslots allotted to said mobile radio connection.

16. (Currently Amended) The system according to claim 15, wherein said ~~peak~~ highest number of substreams is determined based on a user requested data rate for said mobile radio connection.

17. (Original) The system according to claim 12, wherein said mobile radio connection is adjusted by changing a coding scheme thereof.

18. (Original) The system according to claim 17, wherein said coding scheme is changed via in-band signaling.

19. (Original) The system according to claim 17, wherein said coding scheme is changed via a combination of in-band and out-band signaling.
20. (Original) The system according to claim 18, further comprising sending quality measurements of said radio interface via in-band signaling.
21. (Original) The system according to claim 12, wherein said mobile radio connection is adjusted by changing a modulation scheme thereof.
22. (Currently Amended) The system according to claim 12 ~~claim 11~~, wherein said mobile radio connection is adjusted by changing an allotted number of radio frequency timeslots thereof.
- 23-30. (Withdrawn)